

***City of Burien***

**BURIEN PLANNING COMMISSION MEETING**

January 23, 2007

7:00 p.m.

City Council Chambers

**MINUTES**

**Planning Commission Members Present:**

Robert Simpson-Clark, Jim Clingan, Stacie Grage, Janet Shull

**Absent:**

Rebecca McInteer, Jon Newton, Michael Sumner

**Others Present:**

Stephanie Jewett, planner; Scott Greenberg, Community Development director; Betsy Geller, AHBL, Inc.; Gerry Lindsay, minutes taker

**Roll Call**

Chair Simpson-Clark called the meeting to order at 7:02 p.m. Upon the call of the roll all commissioners were present with the exception of Commissioners Newton, McInteer and Sumner.

**Agenda Confirmation**

Motion to approve the agenda as printed was made by Commissioner Clingan. Second was by Commissioner Shull and the motion carried unanimously.

**Public Comment** – None

**Approval of Minutes**

A. January 9, 2007

Motion to approve the minutes as submitted was made by Commissioner Shull. Second was by Commissioner Clingan and the motion carried unanimously.

**Old Business**

A. Public Hearing Regarding Proposed Amendment to Zoning Code Section 19.15.045  
Office Zone to Allow a Height Increase for Hospital Uses

Planner Stephanie Jewett said the proposed amendment to the Zoning Code would allow a height increase under certain circumstances for hospital uses within the Office zone. The request was made by Highline Medical Center, and city staff has worked closely with the hospital to craft a proposal to meet the growth needs of the hospital while minimizing impacts to surrounding properties.

Planning consultant Betsy Geller, AHBL, Inc., said the purpose of the proposed amendment is to facilitate the expansion of hospital services on the medical campus. The hospital has plans for a new wing that will not require an increased height allowance, but the proposal will allow for future vertical expansion as needed. Currently, the height limit for hospital uses in the Office zone is 45 feet; there is a 10-foot front

setback required, but no required side or rear setback. The proposed changes apply only to hospital uses in the Office zone and only to sites of five acres or more that have an adopted master plan. The proposal includes increased setbacks for the portion of buildings above 45 feet at the rate of two feet of additional setback for each one foot of additional height; the maximum height limit is 95 feet.

Chair Simpson-Clark asked whether the provisions would apply to any structure on the site, and Ms. Jewett confirmed that they would. She stressed that any building to be constructed on the site would have to be shown in an adopted master plan.

Chair Simpson-Clark opened the public hearing.

**Mr. Rod Sheffer, 16009 7<sup>th</sup> Avenue SW**, said his property is adjacent to the hospital campus and has a territorial view of Mt. Rainer. If the proposed height increase is allowed, the view will be lost and the value of the property will be negatively affected. He asked if the proposal has gone through the SEPA process.

Ms. Jewett answered that it has and that a Determination of Nonsignificance has been issued.

Mr. Sheffer said he is still dealing with problems that resulted from a previous hospital construction project that had led him to have a lack of trust in the hospital and concerns about the spin-off effects of additional height.

Chair Simpson-Clark closed the public hearing.

Commissioner Clingan noted that a couple of years ago the request was made to create a hospital zone in the city and asked if that process would have been more complicated. Community Development Director Scott Greenberg said the establishment of a hospital zone would first require a Comprehensive Plan amendment to create a new land use designation along with designation criteria and policies pertinent to the new zone. In addition, it would be necessary to determine what property should be rezoned as hospital. Staff has talked to the hospital quite a bit about taking that approach; during those discussions it was concluded that what the hospital really wants is additional height and that the proposed approach is a simpler option that will achieve that goal.

From the audience, Ms. Sally Fagerlie, 16051 8<sup>th</sup> Avenue SW, asked if the increased height will apply to the hospital building only and not to the medical clinic buildings to the north of the hospital.

Mr. Dick Salogga with NAC Architecture, the architect for the hospital, answered that at some point in the future the provisions will apply to the entire site, including the northern boundary where the clinics are located. The hospital master plan does not currently envision changes to that portion of the site; if changes were to be proposed, no redevelopment could occur until the master plan is amended, a process that includes planning, review, environmental impact studies, and public comment.

Chair Simpson-Clark commented that Burien, like most other jurisdictions, does not impose development limitations based on view protection. There are setback, height, transition area and other requirements on the books that are designed to create a light and bright atmosphere rather than a canyon-like environment. Mr. Greenberg concurred, noting that some cities, including Seattle, regulate views from or of public properties.

Answering a question asked by Commissioner Clingan, Mr. Salogga said the current hospital master plan was adopted in 2002 and covers a period of 15 years. The project currently under contemplation will complete the hospital building but will not include the parking garage. It can be expected that in the near

future the hospital will begin the steps necessary to amend the master plan aimed at anticipating growth another 15 years into the future.

Chair Simpson-Clark informed the audience that the commission is slated to take action on the proposed Comprehensive Plan amendment on February 13.

### **New Business**

#### **A. Michael Martin, City Manager**

City Manager Michael Martin introduced himself and thanked the commission for the work it does. He noted that planning commissions often do the heavy lifting for cities; their work can be tedious and contentious, but it is always appreciated. The advice and guidance provided to the City Council is invaluable. He informed the commissioners that the door to his office is always open.

### **Director's Report**

#### **A. 2007 Work Program**

Mr. Greenberg said the annual council retreat was held January 6 at the Dumas Bay Center in Federal Way. All department directors were invited to attend, which has not been the approach taken in past years. The priorities that came out of the retreat will in the coming weeks be turned into a work program. The top priorities were economic development; annexation; education partnerships; emergency preparedness; improved public safety; transportation and Surface Water Management projects; community outreach to diverse groups; parks projects and plans; sustainability; local, regional, state and federal partnerships; and financial stability.

The to-do list for each city department was discussed; for the Department of Community Development, the list included permit review and inspections; the annual Comprehensive Plan amendment process; and building code amendments.

The council and department directors offered their take on emerging trends facing the City. For Community Development, the list included housing affordability and choice; the shoreline master program update due in December 2009; and public health and planning. Mr. Greenberg explained that the latter trend includes issues such as designing for walkability and other particulars focused on improving citizen health.

For the Planning Commission, the top priorities affecting the Planning Commission during 2007 include the annual Comprehensive Plan amendments; North Highline annexation; downtown/Town Square, particularly implementation of the downtown parking study and completion and implementation of the view corridor study; implementation of the Housing Element with a particular focus on affordable housing; and the development of a transportation impact fee program.

Mr. Greenberg said the issue of sustainability was brought up in several aspects during the retreat. He allowed that the term has not been specifically defined. It can be interpreted to mean walkability; financial sustainability; environmental sustainability; or energy sustainability. Staff will be working with the City Council, the Planning Commission and others in trying to draw lines around the concept.

Mr. Greenberg said the possibility of developing a transportation impact fee program is budgeted for 2007. Many cities in the region have such programs and assessment fees on a per-trip basis to help fund transportation improvements. Whether or not impact fees are appropriate for Burien remains an

unknown, especially given that the city is mostly built out. An RFP has been issued and a consultant will be chosen to offer insights into what an impact fee program could look like in Burien.

There will be other issues tackled by the commission during 2007. The Northeast Redevelopment Area may require some land use policies to be tweaked.

Chair Simpson-Clark suggested that transportation planning generally is markedly absent from the agenda. He said the focus of Public Works is primarily on maintenance. No great efforts have been put into planning the long-term roadway infrastructure needs of the city. Mr. Greenberg pointed out that the current transportation plan was adopted in 2003 and asked Chair Simpson-Clark if his suggestion was to take the next step and focus on street designations and the improvements needed. Chair Simpson-Clark said the transportation plan is primarily focused on maintenance; it does not take a long-range view of what the city will need. Mr. Greenberg offered to sit down with Chair Simpson-Clark to review the transportation plan to gain a better understanding of what he believes should be done.

Mr. Greenberg informed the commission that the next major Comprehensive Plan update is due by December 2011. In order to get to that point, it will be necessary to conduct a re-visioning process. The process could affirm the vision for the next 20 years or determine that a new vision is needed. Prior to the re-visioning process, it would be a good idea to define a few indicators for measuring how well the current Comprehensive Plan is working.

The subdivision code needs to be updated, and work on that could begin as early as 2008.

Commissioner Shull said she recently toured the new community center facility in Federal Way. She suggested that consideration should be given to developing a similar facility in Burien. From the audience, Councilmember Clark said the council has that matter on its scope.

B. Summary of Quarterly Permit Activity  
– 4<sup>th</sup> Quarter 2006 and 2006 Annual

Mr. Greenberg informed the commission that the City issued just over 2,000 construction permits in 2006, the most ever issued in a single year and a 13 percent increase over 2005. Permit revenues exceeded \$1 million for the first time, a 47 percent increase over 2005. The valuation of those permits was in the range of \$65 million, based only on valuation numbers collected by the City for purposes of determining the permit fee; valuation numbers are not required for all permits.

For construction permits as a group, the targeted approval dates were met 96 percent of the time. In most instances where the target dates were not met, the applicant was slow in submitting information or submitted inaccurate information. The City's three building inspectors conducted more than 6,000 inspections in 2006, not counting the 700 or so inspections and 50 plan reviews conducted by contract with Normandy Park.

Curiously, in 2006 there were fewer land use applications and major land use decisions than in 2005. For the major land use decisions issued, the target approval date was met 79 percent of the time, which is very respectable.

C. Potential Annexation Area Update

Mr. Greenberg said the City of Seattle declared North Highline as a Potential Annexation Area on December 11 on a vote of 6-3. Deputy Mayor Ceis wrote a letter to Burien suggesting the need to sit down together and work things out. In his letter, he also proposed that each city should agree not to

appeal the other's PAA designation before the Growth Management Hearings Board. Burien responded by saying while sitting down to talk is a good idea, neither city should give up its rights to appeal. Seattle then appealed the Burien designation and staff is continuing to talk with the city attorney about doing the same; Burien has until early February to file an appeal.

In 2005 the state Legislature acted to authorize a sales tax credit associated with annexation actions. Under the bill, should Burien annex all of North Highline it would receive a 0.2 percent sales tax credit, which is tantamount to about \$1.2 million per year. Seattle was excluded from the legislation for a variety of reasons. Seattle has a bill pending before the Legislature which would give it a 0.05 percent sales tax credit, which would be in the \$6 million range each year. Burien will testify at the state level regarding the equity issue involved and will say that if the state is prepared to give a sales tax credit to Seattle for annexing, it should do the same for Burien, or cap the sales tax credit at \$1.2 million for Seattle.

Berk & Associates has been retained by the City to continue reviewing financial issues regarding annexation, including police staffing issues. Some information from them is expected around mid-February.

Commissioner Clingan asked if there is any legitimate chance of a vote on annexation occurring in 2007. Mr. Greenberg said it would be very unlikely. However, if Burien were to agree with Seattle on a solution early in the year, it is conceivable that a vote could be scheduled for later in the year.

### **Adjournment**

Motion to adjourn was made by Commissioner Shull. Second was by Commissioner Grage and the motion carried unanimously.

Chair Simpson-Clark adjourned the meeting at 8:09 p.m.

Approved: \_\_\_\_\_

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Robert Simpson-Clark, chair  
Planning Commission

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Scott Greenberg, director  
Community Development Department